



**MYRIAD GENETICS, INC.**  
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**MAR 03 2006**

To: Myron G. Hill	
Company: USPTO	
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From: Herbert L. Ley III, Ph.D.	
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**DATE:** March 3, 2006

**NUMBER OF PAGES :** 2 (Including cover)

**Requesting an interview for Friday, March 10, 2006.**

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PTOL-413A (09-04)  
Approved for use through 07/31/2006. OMB 0851-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

### Applicant Initiated Interview Request Form

Application No.: 09/972,035 First Named Applicant: Daniel Albert Wettstein  
Examiner: Myron G. Hill Art Unit: 1648 Status of Application: Finally Rejected

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#### Tentative Participants:

(1) Myron G. Hill (USPTO) (2) James C. Housel (USPTO)  
(3) Herbert L. Ley (Myriad Genetics, Inc.) (4) Jay Z. Zhang (Myriad Genetics, Inc.)

Proposed Date of Interview: Friday, March 10, 2006 Proposed Time: 1:00 p.m. (eastern) (AM/PM)

#### Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☐ NO

If yes, provide brief description: \_\_\_\_\_

### Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rei. §112, 1<sup>st</sup> para. written description</u>	<u>1-23, 26, 44-50, 61-68</u>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) <u>Rei. §112, 1<sup>st</sup> para. enablement</u>	<u>1-23, 26, 44-50, 61-68</u>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

#### Brief Description of Arguments to be Presented:

Rejections to be reconsidered in light of Invitrogen v. Clontech 429 F.3d 1052 (Federal Circuit November 18, 2005)  
Provided with response under 37 CFR § 1.116, filed February 21, 2006

An interview was conducted on the above-identified application on \_\_\_\_\_.

**NOTE:** This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Applicant/Applicant's Representative Signature

Examiner/SPE Signature

Herbert L. Ley III, Ph.D.  
Typed/Printed Name of Applicant or Representative

53.215  
Registration Number, if applicable

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORM TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.